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Docket No. JAB-1267 act Walf

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Embrechts et al.

Serial No.: 09/403,056

Art Unit: 1615

Filed

October 13, 1999

Examiner: G.S. Kishore

For

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

January 6, 2006 (Date of Deposit)

Michele G. Mangini
(Name of applicant, assignee, or Registered Representative)

January 6, 2004

(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under \$1.114, no additional fee is required. In accordance with \$1.129(a), this Information П Disclosure Statement is being filed in connection with [] the first or second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of: Statement in Accordance with §1.97(e) П (attached); or

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	igtiespace Copies of each of the references listed on the
	attached Form PTO-1449 are enclosed herewith.
	Copies of references listed on the attached Form PTO-
	1449 are enclosed herewith EXCEPT THAT:
	1449 are enclosed herewith ExcErt THAT.
	☐ In view of the voluminous nature of references
	[list as appropriate], and the likelihood that
	these references are available to the Examiner,
	copies are not enclosed herewith.
	To the femalian publications are not
	If any of the foregoing publications are not
	available to the Examiner, Applicant will
	endeavor to supply copies at the Examiner's
	request.
	Copies of only foreign patent documents and non-
	patent literature are enclosed in accordance with 37 CFR 1.98
	(a)(2). (The U.S. patents and each U.S. patent application
	publication listed on the attached Form PTO-1449 are not
	enclosed because this U.S. patent application was filed after
	June 30, 2003 or this international application has entered the

national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i).

∑ There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

Attached is a copy of a search report from related PCT Patent Application No. PCT/EP98/02144 (Atty. Docket JAB-1202), which is listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JAB1267/MGM. This form is submitted in triplicate.

Respectfully submitted,

Michele G. Mangini Reg. No. 35,806

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2810 DATED: January 6, 2004



PTO/SB/08A (08-00)

Approved for use through 10/31/2002, OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Embrechts et al.					
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Examiner Initials	Cite No.1	1 1		Number .	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
5,132,107		Lange	7-21-1992					
		5,456,861		Liu et al.	10-10-1995			
		5,607,980		McAtee et al.	3-04:1997	_		
8,207,142 B1 C 4,569,935 F		Patel	5-05-1998					
		Odds et al.	3-27-2001					
		Rosenberg et al.	2-11-1986					
		Mayhew st al.	6-24-1980					
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FOREIGN PATENT DOCUMENTS Foreign Patent Document Date of Publication Pages, Columns, Lines, of Cited Document where relevant Name of Patentee or ssages or relevant Examiner mm-dd-yyyy Applicant of Cited Document figures appear KindCode⁸ Office¹ Number⁴ EP 0 399 858 **B**1 L'oreal 7-08-1992 EP 0 488 856 B1 2-17-1993 93/18743 A1 Janssen Pharmaceutica N.V. 96/29045 A1 Ramot University Authority for 9-26-1996 applied Research and Industries Development Ltd.

Examiner	Date	_
Signature	Considered	
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered, include copy of this form with next communication to applicant.

1 Unique citation designation number: 2 See attached Kinds of U.S. Patant Documents, 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3), 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document, 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST, 16 if possible, 4 Applicant is to place a check mark here if English language Translation is attached.

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Application Number	09/403,056	
Filing Date	October 13, 1999	
First Named Inventor	Embrechts et al.	_
Group Art Unit	1615	
Examiner Name	Kishore, G.S.	
Attorney Docket Number	JAB-1267	

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner's	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		Cauwenbergh, G., et al., Treatment of dandruff with a 2% Ketoconazole scalp gel., int. J. Dermatol, 25 (1986), 541	
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		Van Abbe, N.J., The investigation of dandruff, J. Soc. Cosmetic Chemists 15, (1964), 609-630	
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¹ Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.



SUBMISSION UNDER MPEP 609 D

Application Number	09/403,056
Filing Date	October 13, 1999
First Named Inventor	Embrechts et al.
Group Art Unit	1615
Examiner Name	Dishore, g.S.
Attorney Docket Number	JAB-1267

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